

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

GEOFFREY LEWIS WOMACK,

8:11CV97

Plaintiff,

v.

**MEMORANDUM  
AND ORDER**

PATRICK J. MCKERNAN, REY  
RIOS, and MIKE KING,

Defendants.

This matter is before the court on its own motion. On May 16, 2011, the court conducted an initial review of Plaintiff's Complaint and concluded that it failed to state a claim upon which relief may be granted. (Filing No. 9.) However, the court gave Plaintiff the opportunity to file an amended complaint. (*Id.* at CM/ECF p. 4.) In doing so, the court warned Plaintiff that if he failed to file an amended complaint by June 6, 2011, his claims would be dismissed without further notice. (*Id.* at CM/ECF pp. 4-5.) The court also informed Plaintiff that he was required to keep the court informed of his current address at all times while his case was pending and that his failure to do so could result in dismissal without further notice. (*Id.* at CM/ECF p. 5.)

The Clerk of the court mailed the aforementioned Memorandum and Order to Plaintiff at the address he provided. (Filing Nos. 8 and 9.) On May 20, 2011, the Memorandum and Order was returned to the court as undeliverable. (Filing No. 10.) Three days later, the court gave Plaintiff until June 20, 2011, to apprise the court of his current address. (Filing No. 11.) Plaintiff has failed to file an amended complaint or provide the court with his current address. (*See* Docket Sheet.)

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice because Plaintiff failed to prosecute this matter diligently and failed to comply with this court's orders.
2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 24<sup>th</sup> day of June, 2011.

BY THE COURT:

*Richard G. Kopf*  
United States District Judge

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